

REMARKS

Upon entry of the above-identified amendments, Claims 1-18 remain pending in the present application, existing Claims 1 and 11 having been amended and new Claims 14-18 having been added.

Examiner Interview

Applicant would like to cordially thank Examiner Williams and Examiner Sandy for the courtesy extended to Applicant's attorney at the July 14, 2004 in-person interview. Applicant understands the comments made by the Examiner in the Examiner interview Summary Record to pertain to the embodiments discussed and demonstrated during the interview, not to the claimed invention. Further, Applicant submits that it is the claims as a whole that define the invention, not any one portion of a claim.

Amendments to the Specification

Applicant has amended the specification to correct inadvertent typographical errors. Namely, Applicant has amended the specification to correctly identify the well with identifier 112, instead of 120, to correctly identify the hook with identifier 115 instead of 15, and to correctly identify the edge of the hook 115 with identifier 120 instead of 112. Applicant has also amended the specification to correctly reference Figure 1 in Paragraph 17, not Figure 3. No new matter has been added.

Amendments to the Drawings

Applicant has amended Figures 4 and 6 to correctly identify the well with identifier 112, instead of 120, in accordance with the amendments to the specification. No new matter has been added. Attached herewith, Applicant submits replacement pages for Figures 4 and 6.

Rejection of the Claims under Carmo

Applicant respectfully submits that Carmo, alone or in combination, does not disclose, teach or suggest Applicant's invention as recited in pending Claims 1-18 because Carmo does not disclose the hook recited in Claims 1, 11, 14 and 15. Instead, Carmo discloses "a smooth edged, rigid hook portion." See Carmo, Col. 2, lines 42-44. Accordingly, Applicant believes Claims 1, 11, 14 and 15 are allowable over Carmo. Claims 2-10, 12-13, and 16-18 depend from Claim 1, Claim 11 and Claim 15, respectively, and would also be allowable over Carmo for the same reasons.

Rejection of the Claims under Carmo in view of Kosteniuk or Battiato

As discussed above, Carmo does not disclose, teach or suggest the hook recited in Claims 1, 11, 14 and 15. Additionally, Applicant respectfully submits that Kosteniuk does not teach or suggest the rigid cantilever portion of Claims 1 and 11 because Kosteniuk discloses a cantilever portion that is "slightly resilient so as to open and close the throat slightly as bag handles are inserted and removed." See Kosteniuk, Col. 1, lines 40-42. Accordingly, the cantilever portion in Kosteniuk is flexible, not rigid. Claims 2-10 and 12-13 depend from Claim 1 and 11, respectively, and are likewise patentable over Carmo in view of Kosteniuk. Accordingly, Applicant believes Claims 1-18 are patentable over Carmo, alone or in combination with Kosteniuk or Battiato.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance. Furthermore, any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Any remarks referring to only a portion of a claim should not be understood to base patentability on that portion; rather, patentability must rest on each claim taken as a whole. Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Although changes to the claims have been made, no acquiescence or estoppel is or should be implied thereby; such amendments are made only to expedite prosecution of the present application and are without prejudice to the presentation or assertion, in the future, of claims relating to the same or similar subject matter.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

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Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

By: 

Josué A. Villalta
Registration No. 54,511
Attorney of Record
Customer No. 20,995
(949) 760-0404